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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/017,329	02/02/1998	RYUICHI MATSUKURA	1083.1049/JD	8159
21171	7590	12/14/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				WINDER, PATRICE L
ART UNIT		PAPER NUMBER		
		2145		

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/017,329	MATSUKURA, RYUICHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Patrice Winder	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 and 16-22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6-1-05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

1. Claims 1-11, 16-22 are pending.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-10, 16-17, 20-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1-10, 16, 17, 20 and 21 disclose "a position in the real world" for each hardware or software. The specification does not teach a position in the real world for each item. In response to the applicant's remarks on page 14 of the response filed on September 2, 2005, cited passages of applicant's disclosure refer to "rooms" not a "position in the real world".

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4-11, 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Weiser et al., USPN 5,485,634 (hereafter referred to as Weiser) and Theimer et al., USPN 5,555,376 (hereafter referred as Theimer), which is incorporated by reference.

6. Regarding claim 1, Weiser taught a computer network system in which plural connecting means capable of connecting and disconnecting a computer is provided in a network circuit to which a first computer has been connected, and a second computer is connected to said connecting means (column 6, lines 12-28, 41-45), wherein

said first computer comprises resource information managing means for managing information relating to hardware or software, including a position in the real world for each of the hardware or software, which are usable through the hardware circuit (column 8, lines 6-16), and resource information processing means for taking out the hardware or software information from said resource information managing means in response to a request for information relating to usable hardware or software from another computer, and transmitting to said network circuit (column 8, lines 40-56, column 9, lines 3-13),

said second computer comprises resource setting means for setting the hardware or software according to the hardware or software information transmitted by said resource information processing means of said first computer (column 11, lines 35-46),

when second computer is connected to said network circuit through any one of said plural connecting means (column 7, lines 65-67, column 8, lines 1-4), said resource setting means receives the hardware or software information transmitted by said

resource information processing means of said first computer and directly set the hardware or software (column 11, lines 35-46).

7. Regarding claim 2, Weiser taught a computer network system in which plural connecting means capable of connecting and disconnecting a computer is provided in a network circuit to which a first computer has been connected, and a second computer is connected to said connecting means (column 6, lines 12-28, 41-45), wherein

said first computer comprises resource information managing means for managing information relating to hardware or software, including a position in the real world for each of the hardware or software, which are usable through the hardware circuit (column 8, lines 6-16), and resource information processing means for taking out the hardware or software information from said resource information managing means in response to a request for information relating to usable hardware or software from another computer, and transmitting to said network circuit (column 8, lines 40-56, column 9, lines 3-13), and resource installation position managing means for managing the position at which hardware or software managed by said resource information managing means exist (column 8, lines 6-16),

said second computer comprises position noticing means for noticing the position information indicating the position to said first computer when connected to one of said connecting means (column 7, lines 25-72), resource selecting means for selecting an arbitrary hardware or software out of a plurality of the hardware or software (column 10, lines 46-53), and resource setting means for setting the hardware or software according

to the hardware or software information selected by said resource selecting means (column 11, lines 35-46),

when second computer is connected to said network circuit through any one of said plural connecting means (column 7, lines 65-67, column 8, lines 1-4),

said resource installation position managing means of said first computer reads out the hardware or software information corresponding to the position information noticed by said position noticing means from said resource information managing means, and transmits to said second computer (column 10, lines 59-65),

{ said resource setting means of said second computer directly sets the hardware or software selected by said resource selecting means in the hardware or software information received from said first computer (column 11, lines 35-46).

8. Regarding claim 3, claim 3 has similar limitations as claim 1 and additional limitations of a resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource information managing means of the first computer, detecting a replaceable resource. Therefore, the similar limitations are disclosed under Weiser-Theimer for the same reasons set forth in the rejection of claim 1 (Supra 1). Also, Weiser-Theimer taught resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource

information managing means of the first computer, detecting a replaceable resource (Theimer, column 8, lines 14-46).

9. Regarding claim 4, Weiser taught a computer network system in which plural connecting means capable of connecting and disconnecting a computer is provided in a network circuit to which a computer is connected to said connecting means (column 6, lines 12-28, 41-45), wherein

said computer comprises resource information managing means for managing plural sets of information relating to hardware or software, including a position in the real world for each of the hardware or software, which are usable through said network circuit corresponding to said connecting means (Theimer, column 7, lines 28-32, column 8, lines 42-46),

position selecting means for selecting one of the information relating to plural sets of hardware or software managed by said resource information managing means (column 7, lines 25-42, column 8, lines 43-49), and

resource setting means for setting the hardware or software according to the information relating to the hardware or software corresponding to the position selected by said position selecting means (column 11, lines 35-46), and

when said computer is connected to said network through any one of said plural connecting means, said resource setting means obtains the hardware or software information corresponding to the position selected by said position selecting means from said resource information managing means, and directly sets the hardware or software (column 11, lines 35-46).

Art Unit: 2145

10. Regarding claim 5, claim 3 has similar limitations as claim 1 and additional limitations of a comparing means for comparing an updated time of the hardware or software information of said resource managing means of the second computer and an updated time of the hardware or software information of said resource managing means of said first computer. Therefore, the similar limitations are disclosed under Weiser-Theimer for the same reasons set forth in the rejection of claim 1 (Supra 1). Also, Weiser-Theimer taught comparing means for comparing an updated time of the hardware or software information of said resource managing means of the second computer and an updated time of the hardware or software information of said resource managing means of said first computer (Weiser, column 8, lines 43-58).

11. Regarding claim 6, claim 6 has similar limitations as claim 1 and additional limitations of a resource updating means for updating the content of the resource information managing means when receiving an updated resource. Therefore, the similar limitations are disclosed under Weiser-Theimer for the same reasons set forth in the rejection of claim 1 (Supra 1). Also, Weiser-Theimer further taught a resource updating means for updating the content of the resource information managing means when receiving updated resource information (column 12, lines 26-34).

12. Regarding claims 10-11, claims 10-11 has similar limitations as claim 1 and additional limitations of a resource noticing means for noticing the content of the resource information managing means and updating resource information registering means by receiving the updated resource information from the computer. Therefore, the similar limitations are disclosed under Weiser-Theimer for the same reasons set

forth in the rejection of claim 1 (Supra 1). Weiser-Theimer taught a resource noticing means for noticing the content of the resource information managing means and updating resource information registering means by receiving the updated resource information from the computer (column 9, lines 3-13).

13. Claims 7-9 and 16-22 have similar limitations as claims 1. Therefore, they are rejected under Weiser-Theimer for the same reasons set forth in the rejection of claim 1 (Supra 1).

### ***Response to Arguments***

14. Applicant's arguments with respect to claims 1-11, 16-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

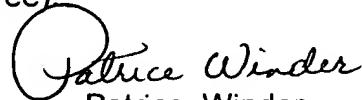
Art Unit: 2145

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patrice Winder  
Primary Examiner  
Art Unit 2145

December 12, 2005